

JF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

RECEIVED

SEP 22 2021 ml

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Byron Crawford

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No:
(To be

1:21-cv-05015
Judge Joan H. Lefkow
Magistrate Judge Jeffrey Cole
RANDOM

ILLinois
Department
of
Employment
Security

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)

COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)

X OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Byron Crawford
- B. List all aliases: _____
- C. Prisoner identification number: _____
- D. Place of present confinement: _____
- E. Address: _____

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In **A** below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in **B** and **C**.)

- A. Defendant: ILLINOIS Dept of Employment Security
Title: _____
Place of Employment: _____
- B. Defendant: _____
Title: _____
Place of Employment: _____
- C. Defendant: _____
Title: _____
Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: N/A
- B. Approximate date of filing lawsuit: _____
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: _____

- D. List all defendants: _____

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): _____
- F. Name of judge to whom case was assigned: _____

- G. Basic claim made: _____

- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): _____

- I. Approximate date of disposition: _____

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

My name is Byron Crawford, and I am bringing this cause of action because Illinois Dept of Employment Security (I.D.E.S.) lack of response, resolution, or even due process to my claim for unemployment benefits!

I.D.E.S. has not paid my benefits that I have been entitled to from effective date 2/9/20 all the way up until now. I have called the 800-244-5631 number close to a 100 times this whole duration and have received calls back and was always told or hung up on. Please continue to certify, even if it takes a year!

You will get paid retroactive to your effective date, even says that on the recording. I've received a total of three thousand four hundred thirty seven dollars over a year and nine months.

I.D.E.S. owes me for February 2020 to September 2021 a total maybe more, twenty-thousand four hundred eighty two dollars!!!

Will mention a few names, spoke with Cindy on 5/24/21 around 5-5:30pm. She said I had 74 pages in my account I guess and it wasn't worth her going through them. Spoke with Keith 9/15/21 and he said he would call me back and didn't.

Dawn Swift (Manager/Acting U1PM Souther Region. Submitting the emails we exchange June 14, 2021 to July 8TH 21. She mentioned she would keep me updated. She mentioned she submitted to the benefits group to lift a payment block, she supposedly removed a false overpayment of 33,000 and left and an overpayment of \$3,402.

I've always got paid debit card and I have told agents that many times. It shows on my I.D.E.S. portal they've been submitting payments back and forth direct deposit and to the wrong debit card.

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I would like for the court to
regulate the wrong I have recieved from
the state agency, Illinois Dept of Employment Security
so I can immediately get paid my Unemployment
benefits of twenty thousand four hundred eighty
two dollars!!!

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 22 day of September, 20 21

Byron Crawford
 (Signature of plaintiff or plaintiffs)

Byron Crawford
 (Print name)

 (I.D. Number)

322 Foote St.
Crown Pt. IN 46307
 (Address)

9/14/21, 3:00 PM

Gmail - PUA benefits [REDACTED]

Byron Crawford <bc82124@gmail.com>

PUA benefits [REDACTED]

12 messages

Swift, Dawn M. <Dawn.Swift@illinois.gov>
 To: "bc82124@gmail.com" <bc82124@gmail.com>

Mon, Jun 14, 2021 at 11:17 AM

Byron,

My name is Dawn Swift. I work for Illinois. Department of Employment Security. We received correspondence from you through the mail in reference to a 33000 dollar overpayment. after review of your PUA claim it appears that the issue is a BPC Audit (fraud) issue that arose from a list of fraudulent names provide by Chase Bank.

You have a PUA claim effective 02.09.2020 but actually should have been drawing regular UI during that time if you were employed with UBER from 11/05/19-01/17/2020.

Your regular UI claim is effective 02.14.2021 and can be moved back to begin 01/17/2021 since your last payable week in PUA was 01.16.2021

To get this straighten out, I will need proof of earning from UBER for 11/2019-01/2020 and front and back copy of Driver's license, Social Security card and copy of utility bill showing it addressed to you. Please take pictures of the IDS and utility bill , plus hold the driver license next to you face and take a selfie. This will allow me to remove the BPC Audit(fraud) issue from your claim and bring down the overpayment.

You are not eligible in PUA anymore tho, you will be collecting in regular UI effective 01/17/21 as long as the requested information is submitted.

Dawn Swift**Manager/Acting UIPM Southern Region****Dawn.Swift@Illinois.gov****(618) 277-9931****(618) 277-6542**

State of Illinois - CONFIDENTIALITY NOTICE: The information contained in this communication is confidential, may be attorney-client privileged or attorney work product, may constitute trade information or internal administrative staff communication, and is intended only for the use of the addressee. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify the sender immediately by return e-mail and destroy this communication and all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

Byron Crawford <bc82124@gmail.com>
 To: "Swift, Dawn M." <Dawn.Swift@illinois.gov>

Tue, Jun 22, 2021 at 4:02 PM

Good afternoon Dawn,

Haven't received any funds yet! I know you're busy and I am sorry. Want to make sure the money has not went somewhere else!

[Quoted text hidden]

Swift, Dawn M. <Dawn.Swift@illinois.gov>
 To: Byron Crawford <bc82124@gmail.com>

Wed, Jun 23, 2021 at 10:51 AM

I have corrected an issue that was holding the payment , the payment should go out tonight and be available to you Friday.

[Quoted text hidden]

Byron Crawford <bc82124@gmail.com>
 To: "Swift, Dawn M." <Dawn.Swift@illinois.gov>

Fri, Jun 25, 2021 at 12:54 PM

Good afternoon Dawn,

Checked my card today twice and still no payment Dawn!!
 Received two letters from unemployment yesterday. One letter in spanish says I am not eligible!!
 The other letter in english says I am!!

[Quoted text hidden]

Swift, Dawn M. <Dawn.Swift@illinois.gov>
 To: Byron Crawford <bc82124@gmail.com>

Byron,

9/14/21, 3:00 PM

Gmail - PUA benefits [REDACTED]

Byron Crawford <bc82124@gmail.com>
To: "Swift, Dawn M." <Dawn.Swift@illinois.gov>

Wed, Jun 30, 2021 at 11:46 AM

Good Morning Dawn,

I want to say thank you for your help upfront! I still have no payment. The back due payment which reflected on the screen shot you sent me which was verified from an agent I called 800-244-5631! She mentioned it was put in 6/24/21 Thursday and mentioned it normally takes 2-3 business days which would have been Tuesday 6/29/21! I also certified Monday 6/28/21 as you instructed me to do!

As of today 6/30/21.. I have not received any payment??? I called Key Bank three times and they said no payment was in the system

Dawn, I was going to wait to explain this as well, but this may also have connected issues? I don't know? Those payments that I asked you to look at from last year, I never received a payment till 2/23/21 of \$1,800 dollars and also 2/24/21 of \$637 dollars.
..and also the 2 payments 3/25/21 of \$574.00 and 3/29/21 \$574.00 to my debit card with Key Bank. I have talked with many agents on the 800-244-5631 and no one seems to be able to sustain help for me! Now IRS will give me problems especially showing that i recieved these payments!!!

Your organization can definitely verify with key bank which is very simple a call. I'm not at all trying to instruct you on your responsibility. I really need help Dawn trying to raise a six year old and a 18year old trying to figure out her future after their Mom passed away 1/4/2020, we had been married 28yrs and 8mos and this happened suddenly! I don't want anybody else's money but what I've earned in the system! Please help!!!

[Quoted text hidden]

Byron Crawford <bc82124@gmail.com>
To: "Swift, Dawn M." <Dawn.Swift@illinois.gov>

Wed, Jun 30, 2021 at 3:52 PM

Good afternoon Dawn,

Received letter dated 6/24/21..says ISSUE 007 605- RECIEVING BENEFITS UNDER ANOTHER LAW!
820 ilcs 405/605 provides that an individual shall be ineligible for benefits for any week!

Thats the letter I just received.

[Quoted text hidden]

Swift, Dawn M. <Dawn.Swift@illinois.gov>
To: Byron Crawford <bc82124@gmail.com>

Wed, Jun 30, 2021 at 3:58 PM

That decision is only for 02/14/2021-03/27/2021 since you collected PUA during that time.

I have reached out to my contact for Key bank to see why the payments are not showing on your debit card. I will keep you updated.

[Quoted text hidden]

Byron Crawford <bc82124@gmail.com>
To: "Swift, Dawn M." <Dawn.Swift@illinois.gov>

Thu, Jul 8, 2021 at 11:46 AM

GM Dawn,

I have gotten some outside advice from a lawyer group and their advice was to turn to ACTION 7 ABC NEWS, or file a complaint in the Court of Law and what they recover from 2/2020 till now, they will take 33percent! I really don't want to do that, but they say IDES is just not going to pay me the back pay without "legal action!! I just want it resolved and want want the Cares Act and Unemployment laws to work for me!! Please respond!!

[Quoted text hidden]

Swift, Dawn M. <Dawn.Swift@illinois.gov>
To: Byron Crawford <bc82124@gmail.com>

Thu, Jul 8, 2021 at 11:53 AM

Byron,

I have submitted to our benefit payments your last email. I received response on 07.02.2021 that they were requesting a release of payment block. Beware of outside agencies or groups giving advice or requesting funds to assist with payments of unemployment. These groups and agencies are taking advantage of claimants all over the state. I will keep you updated when I get a response.

[Quoted text hidden]

Byron Crawford <bc82124@gmail.com>
To: "Swift, Dawn M." <Dawn.Swift@illinois.gov>

Fri, Jul 16, 2021 at 11:28 AM

GM Dawn,

Is there any update on my benefits being released! Trying to be patient and accept your advice in the last email. Growing very weary, and I believe one way or the other that I am due!

[Quoted text hidden]

Byron Crawford <bc82124@gmail.com>
To: "Swift, Dawn M." <Dawn.Swift@illinois.gov>

Thu, Aug 12, 2021 at 9:34 AM

GM Dawn,

Reaching out to see if my benefits are released! as of your email they were removing the payment block on 7/2/21.
Can you please respond?

[Quoted text hidden]

9/14/21, 3:00 PM

Gmail - PUA benefits [REDACTED]

Please contact Key Bank if you do not get payment on Monday I have screen printed that payment for each of these weeks paid out 5016 dollars

https://ibis.ides.illinois.gov/IBIS/PdfDisplayServlet.pdf?sessionId=0001c14h4v5nYTFcfw30BGM3BE - Internet Explorer

06/12/2021	Determination Denial	0.00	0.00	0.00	0.00	0.00	0.00
Payment ID: 321809344 Issued Date: 06/24/2021 Payment Amount: \$5016.00 Payment Method: De							
04/03/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
04/10/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
04/17/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
04/24/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
05/01/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
05/08/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00

P06L

Page 2 of 3

BYRON CRAWFORD

Week Ending	Benefit Explanation	WBA	Dependency Allow	Wage Deduct	Vacation Pay	Holiday Pay	Retire Deduct
05/15/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
05/22/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
05/29/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
06/05/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00
06/12/2021	Supplement	0.00	0.00	0.00	0.00	0.00	0.00

BENEFITS PAID BY PROGRAM

Benefit Year End Date	Program
03/27/2022	Regular

Dawn Swift

Manager/Acting UIPM Southern Region

Dawn.Swift@Illinois.gov

(618) 277-9931

(618) 277-6542

(Quoted text hidden)